

March 25, 1976

SENATOR WARNER: I have no objection to occasional use. That occasion may well come up and I would strongly support the permission of the ExecBoard to hire an attorney when the specific case, when there was need and a law suit. But, I do not support the other concept.

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, members of the Legislature. I am a member of the Executive Board and I am going to support Senator Anderson's amendment. I supported the other one with the idea that a full time attorney was in that appropriation suggestion. I am supporting this one on the basis that there is not money available in the appropriations of the legislature to hire a full time attorney on the staff. That does not preclude the Legislative Executive Council from being in a position where they need legal advice outside of the Attorney General's office, and it should not block the Executive Board from doing just that, such as the Executive Board did last summer under the retarded persons problem in the courts. But, it is my understanding, explicitly, that we are not to have a full time attorney on staff.

PRESIDENT: Senator Bereuter.

SENATOR BEREUTER: (no response)

SENATOR HASEBROOCK PRESIDING

SENATOR HASEBROOCK: Senator Chambers.

SENATOR CHAMBERS: Members of the Legislature, I just want to point out that everytime there is an election there is a new session of the legislature and those who are on the Executive Board now may not be there in January of next year when the new session starts, so there is no way really to get a determination of what the Executive Board's understanding will be because we don't know what the Executive Board is going to be next time.

SENATOR HASEBROOCK: Senator Schmit.

SENATOR SCHMIT: (no response)

SENATOR HASEBROOCK: Senator Anderson, do you wish to close?

SENATOR ANDERSON: Mr. President, with the understanding that we are offering...or that I am offering this amendment to fund the performance audit function contained in LB799 and move that the bill be returned to Select File for the specific amendment.

SENATOR HASEBROOCK: Motion is to return LB699 to Select File for a specific amendment. Have you all voted? Have you all voted? Voting aye, Vince. Clerk will record.

CLERK: 27 ayes, 2 nays and 20 not voting.